

Summary of the Minutes
May 6, 2013 Regular Meeting
City of Binghamton Planning Commission
City Council Chambers, City Hall

CALL TO ORDER

Chairman Stella called the meeting to order at 5:15 pm.

ROLL CALL

Present: Stella, Bowers, Corcoran, Pompei, Ayres, Berling, Staff (arrived @ 5:19)
Absent: Emilio, O'Loughlin
Vacant: None
Staff Present: L. McCullen, P. Day, T. Costello, B. Seachrist

APPROVAL OF SUMMARY OF THE MINUTES

Motion to approve the Summary of the Minutes from the April 1, 2013 regularly scheduled Planning Commission meetings.

Moved by Bowers, seconded by Berling

Motion carried (6-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers

Nays: None

Absent: Staff, Emilio, O'Loughlin

Recused: None

PUBLIC HEARINGS

404 Court Street (2012-52)

Richard Lewis, Michael Corey and Timothy Bailey appeared to provide information on the proposal to construct an off-street parking area for use of Automobile Sales, New at the property known as 404 Court Street, located within the C-1 District.

Chairman Stella opened the public hearing. City of Binghamton Councilmen Bill Berg, John Matzo, Jerry Motsavage, Joseph Mihalko and Chris Papastrat spoke in favor of the proposed project. No one spoke in opposition. Letters were received from Barry M. Shapiro, Karen Tangi, Dennis Diorio, Andrew Diorio, Fern Sternberg, Barry Rozen, Jennifer Goodwin, Jeffrey Kurkoski, City of Binghamton Councilman Bill Berg, Jason Urso and David Kost in favor of the proposal. No letters were received in opposition of the proposal. Chairman Stella then closed the public hearing.

Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review.

Moved by Staff, seconded by Pompei

Motion carried (7-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers, Staff

Nays: None

Absent: Emilio, O'Loughlin

Recused: None

Motion to approve the Series A Site Plan & Special Use Permit Review.

Moved by Staff, seconded by Ayres

Motion carried (7-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers, Staff

Nays: None

Absent: Emilio, O'Loughlin

Recused: None

83 Court Street (2013-02)

Larry Gladstone appeared to provide information on an application for Series A Site Plan / Special Use Permit for a use of Multi-Unit Dwelling in the C-2, Downtown Business District.

Chairman Stella opened the public hearing. No one spoke in favor or in opposition of the project. No letters were received in favor or in opposition of the project. Chairman Stella then closed the public hearing.

Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review (for the entire proposal, including the potential units proposed within a new construction).

Moved by Staff, seconded by Corcoran

Motion carried (7-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers, Staff

Nays: None

Absent: Emilio, O'Loughlin

Recused: None

Motion to approve the Series A Site Plan/ Special Use Permit Review (for the portion of the project occurring within the parcels formerly known as 83-85 Court Street and 87 Court Street, prior to the consolidation of these and 2 other separate tax parcels into the property currently known as 83 Court Street), with conditions:

1. That a Public Improvement Plan be submitted to Planning Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with Planning Commission requirements for the project as provided for in this Approval. This plan must include detail for:

- Reconstruction of ground surfaces, curb and gutter within property frontages surrounding the structure's northwest corner (western Commercial Alley Pedway frontage and northern Commercial Alley frontage) with appropriate materials and features to promote safe use by both service/delivery vehicle traffic and pedestrian traffic;
- Reconstruction of ground surfaces, curb and gutter within Commercial Alley ROW extending west from the subject property's northern frontage until State Street with appropriate materials and features to promote safe use by both service/delivery vehicle traffic and pedestrian traffic accessing the site;
- Installation of user amenities and aesthetic improvements within Commercial Alley Pedway frontage;
- A Lighting Plan for the subject property's north and west frontages;
- Bicycle parking facilities near each of 3 access points for the subject structure (Commercial Alley, Chenango Street, Court Street).

Moved by Pompei, seconded by Bowers

Motion carried (7-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers, Staff

Nays: None

Absent: Emilio, O'Loughlin

Recused: None

151 Laurel Avenue & 28 Mendelssohn Street (2013-05)

Sarah Campbell, Brian Kradjian, Tom Sage and Ken Ellsworth appeared to provide information on the proposal to construct an off-street parking area for use of Automobile Sales, New at the property known as 404 Court Street, located within the C-1 District.

Chairman Stella opened the public hearing. Diane Crews and City of Binghamton Councilmen John Matzo, Joseph Mihalko and Chris Papastrat spoke in favor of the proposed project. Mark Roth, Brenda Truets, Bob Smith and Mary Ann Katz spoke in opposition. Four letters were received in support of the proposal. No letters were received in opposition of the proposal. Chairman Stella then closed the public hearing.

Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review.

Moved by Pompei, seconded by Bowers

Motion carried (5-2-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Bowers

Nays: Berling, Staff

Absent: Emilio, O'Loughlin

Recused: None

Motion to approve the Special Use Permit /Series A Site Plan Modification were APPROVED subject to the following Conditions of Approval:

1. That the facility shall meet all federal air quality standards. Lint shall not be discharged from the site.
2. Hours of operation shall be limited to between 6:00am and Midnight Monday through Friday and 7:00am to 6:00pm Saturday. The facility shall be closed on Sunday.
3. Truck traffic, including, but not limited to, deliveries and pick-ups, shall not be generated after 9:00pm Monday through Friday or after 6:00pm on Saturday.

Moved by Pompei, seconded by Bowers

Motion carried (5-2-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Bowers

Nays: Berling, Staff

Absent: Emilio, O'Loughlin

Recused: None

SEQR DETERMINATIONS

21 Chenango Street (2013-19)

Reinaldo Valenzuela appeared to provide information on an application for Special Use Permit & Series A Site Plan Review for proposed conversion of 2nd-3rd floors of an existing structure for use of Multi-Unit Dwelling in the C-2 District.

Motion to declare the proposed action an Unlisted Action for State Environmental Quality Review Act.

Moved by Staff, seconded by Pompei

Motion carried (7-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers, Staff

Nays: None

Absent: Emilio, O'Loughlin

Recused: None

Motion to declare the Planning Commission be Lead Agency under the State Environmental Quality Review Act.

Moved by Staff, seconded by Pompei

Motion carried (7-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers, Staff

Nays: None

Absent: Emilio, O'Loughlin

Recused: None

Motion to set a public hearing for June 3, 2013 at 5:20pm.

Moved by Staff, seconded by Pompei

Motion carried (7-0-0)

Ayes: Stella, Pompei, Corcoran, Ayres, Berling, Bowers, Staff

Nays: None

Absent: Emilio, O'Loughlin

Recused: None

OTHER BUSINESS

None

ADJOURNMENT

Motion to adjourn the meeting.

Moved by Pompei, seconded by Staff

Voice vote; none opposed.

Adjourned at 9:10 p.m.